



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

MAILED

MAY 29 2012

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

FCC Mail Room

DA 12-825

Released: May 25, 2012

**COMMENTS INVITED ON APPLICATION OF
SIGECOM, LLC D/B/A WOW! INTERNET, CABLE AND PHONE
TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES**

WC Docket No. 12-117
Comp. Pol. File No. 1039

Comments Due: June 11, 2012

Section 214 Application

Applicant: Sigecom, LLC d/b/a WOW! Internet, Cable and Phone

On April 30, 2012, Sigecom, LLC d/b/a WOW! Internet, Cable and Phone (Sigecom or Applicant), located at 6045 Wedeking Avenue, Evansville, IN 47715, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue certain domestic telecommunications services in the City of Evansville, the Town of Chandler, the Town of Newburgh, Vanderburgh County and Warrick County, IN (collectively, Service Areas). By an amendment filed on May 14, 2012, Sigecom clarified certain details and updated the record regarding the geographic areas of service affected by the presently proposed discontinuance. Accordingly, Sigecom's application is deemed complete as of May 14, 2012.

Sigecom indicates that it currently provides circuit switched local exchange and domestic and international long distance services to residential and commercial customers receiving service in the Service Areas via the Nortel Cornerstone platform. Sigecom explains, however, that it has revised its business plan and has decided to discontinue these services because the technology used to provide these services is now obsolete.¹ As indicated in its first application, Sigecom states that it plans to discontinue these services in phases over the next several months.² Sigecom specifies that the discontinuance for this second phase is scheduled to occur on or after June 26, 2012, or as soon thereafter as the necessary federal approval can be obtained. Sigecom further clarifies that the planned discontinuance for this second phase is limited to 149 commercial customers and 125 residential customers (Affected Customers) located in Evansville, IN. Sigecom maintains that the planned discontinuance will not adversely affect the public convenience and necessity because customers have been given notice that affords them ample

¹ Discontinuance of international service is governed by 47 C.F.R. § 63.19.

² Sigecom filed an application on March 12, 2012 seeking authority to discontinue service to customers that were notified of the first phase of the discontinuance plan scheduled to occur on or after May 8, 2012. *See Comments Invited on Application of Sigecom, LLC d/b/a Wow! Internet, Cable and Phone to Discontinue Domestic Telecommunications Services*, Public Notice, WC Docket No. 12-81, DA 12-554 (rel. April 6, 2012).

opportunity to either migrate to Sigecom's interconnected VoIP service at substantially the same price as the current services, or to transfer to a new provider. Sigecom asserts that the services that are being discontinued are readily available from other carriers. Sigecom indicates that on or about April 25, 2012 it mailed written notice of the planned discontinuance to the Affected Customers. Sigecom submits that it plans to mail similar letters at least 30 days prior to the planned discontinuance of service to any customers affected by future phases of its overall plan. Sigecom represents that it is non-dominant with respect to the services it proposes to discontinue.

In accordance with section 63.71(c) of the Commission's rules, Sigecom's application will be deemed to be granted automatically on the 31st day after the release date of this public notice, unless the Commission notifies Sigecom that the grant will not be automatically effective. In its amended application, Sigecom indicates that, during this second phase, it plans to discontinue circuit switched local exchange and domestic and international long distance services to the Affected Customers in Evansville, IN on or after June 26, 2012, subject to Commission authorization. Accordingly, pursuant to section 63.71(c), absent further Commission action, Sigecom may terminate circuit switched local exchange and domestic long distance services to the Affected Customers in Evansville, IN on or after **June 26, 2012**. The Commission normally will authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

Comments objecting to this application must be filed with the Commission on or before **June 11, 2012**. Such comments should refer to **WC Docket No. 12-117 and Comp. Pol. File No. 1039**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>. Filers should follow the instructions provided on the Web site for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number.

Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. The filing hours are Monday through Friday, 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C140, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-1413, Attention: Carmell Weathers.

This proceeding is considered a “permit but disclose” proceeding for purposes of the Commission’s *ex parte* rules.³ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), carmell.weathers@fcc.gov, or Kimberly Jackson, (202) 418-7393 (voice), kimberly.jackson@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau. The tty number is (202) 418-0484. For further information on procedures regarding section 214 please visit http://www.fcc.gov/wcb/cpd/other_adjud.

– FCC –

³ 47 C.F.R. §§ 1.1200 *et seq.*